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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,920	11/09/1999	SHRINIWAS OHIA	062891.0320	7304
5073	7590	08/09/2006	EXAMINER	
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			MIRZA, ADNAN M	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/436,920	<b>Applicant(s)</b> OHIA, SHRINIWAS	
	<b>Examiner</b> Adnan M. Mirza	<b>Art Unit</b> 2145	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 4-7, 10-14, 16, 18-21, 22 are rejected under 35 U.S.C. 102(e) as being unpatentable by Flood et al (U.S. 4,937,777).

As per claims 1, 21 Flood disclosed a system for communicating management information, comprising: a first interface card; a second interface card; and a management card coupled to the first interface card and the second interface card (col. 5, lines 65-67 & col. 6, lines 1-22 & col. 4, lines 18-22), the management card operable to receive a command from a client, the command identifying an interface card or a network device associated with an interface card (col. 5, lines 21-26); establish a communication link between a client and a particular one of the first interface card and the second interface card selected in response to a command communicated by the client (col. 4, lines 50-61); wherein the communication link forms a complete path that couples at least the client to at least the particular interface card; and communication management information using the communication link (col. 6, lines 23-36); and communicate management information using the communication link (col. 4, lines 61-67).

2. As per claims 4, 11 & 18 Flood disclosed wherein the communication link comprises a serial communication path (col. 10, lines 1-4).

3. As per claim 5 Flood disclosed wherein the command comprises information selecting one of the first interface card and the second interface card (col. 5, lines 12-26).

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4. As per claim 6 Flood disclosed wherein the management information comprises information used to configure a network device associated with the particular interface card (col. 5, lines 12-26).
5. As per claims 7 & 14 Flood disclosed a method for communicating management information performed by a management card (col. 5, lines 65-67 & col. 6, lines 1-3), comprising: receiving a command from a client, the command identifying a particular one of a first interface card and a second interface card (col. 5, lines 23-25); establishing a communication link between the client and the particular interface card in response to receiving the command; wherein the communication link forms a complete path that couples at least the client to at least the particular interface card; and communicating management information using the communication link (col. 6, lines 23-36), and communicating management information using the communication link (col. 5, lines 12-20).
6. As per claim 10 Flood taught a method further comprising operating the client to generate the command and the management information (col. 4, lines 65-67).
7. As per claims 12 & 19 Flood disclosed wherein the command comprises information selecting one of the first interface card and the second interface card (col. 5, lines 12-26).
8. As per claims 13 & 20 Flood disclosed wherein the management information comprises information used to configure a network device associated with the particular interface card (col. 22, lines 63-67).
9. As per claim 16 Flood disclosed wherein the processor is further operable to communicate management information using the communication link (col.5, lines 21-26).

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10. Claim 21 has the same limitation as to claim 1 therefore under the same limitations claim 21 can be rejected.

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,3,8,9,15,17,23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flood et al (U.S. 4,937,777) and further in view of Schneider et al (U.S. 6,304,895).

As per claim 2,8,15,23-26 Flood teaches the invention as claimed as discussed above; however, Flood failed to disclose wherein the management card comprises: a switch operable to establish the communication link between the client and one of a first port and a second port; a memory operable to store mapping information associating the first port with the first interface card and the second port with the second interface card; and a processor coupled to the memory and the switch, the processor operable to: receive the command; determine the port associated with the particular interface card using the mapping information; and command the switch to establish the communication link between the client and the determined port information; and command the switch to establish the communication link between the client and the determined port. In the same field of endeavor Schneider disclosed the control applications (220 and 240) utilize a multi-window architecture (e.g., the Multiple Document Interface (MDI) to support control for

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multiple target devices. When a target computer's window gains focus, the target controller automatically sends the appropriate key stroke sequence to the switch to select the corresponding switch port of that target computer (col. 14, lines 8-17); In one embodiment of the system of the present invention, the user (with the help of a configuration file or configuration "wizard") manually establishes the correlation between the name of a system and its switch/port number. In light of the fact that this manual process can be cumbersome, especially when are tiered in a hierarchy, an alternate embodiment utilizes an automated configuration process. In that embodiment, the switches utilize one of the keyboard or mouse ports or separate dedicated communications port to pass information from the target devices or switches up to the target controller (col. 14, lines 26-36); In one embodiment of the system of the present invention, the user (with the help of a configuration file or configuration "wizard") manually establishes the correlation between the name of a system and its switch/port number (col. 14, lines 26-30); In an alternate embodiment, two or more different users may connect to the same controller. In this embodiment the two or more users may control different control cards or may share access to the same controller card. In this embodiment, the captured GDI calls for a controller card are routed to the appropriate remote control software. Likewise, a user may be connected to the multiple control cards on one or more cards simultaneously (col. 14, lines 49-56); the control applications (220 and 240) utilize a multi-window architecture (e.g., the Multiple Document Interface (MDI) to support control for multiple target devices. When a target computer's window gains focus, the target controller automatically sends the appropriate keystroke sequence to the switch to select the corresponding switch port of that target computer (col. 14, lines 9-17).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the disclose wherein the management card comprises: a switch operable to establish the communication link between the client and one of a first port and a second port; a memory operable to store mapping information associating the first port with the first interface card and the second port with the second interface card; and a processor coupled to the memory and the switch, the processor operable to: receive the command identifying a particular interface card; determine the port associated with the particular interface card using the mapping information; and command the switch to establish the communication link between the client and the determined port information; and command the switch to establish the communication link between the client and the determined port as taught by Schneider in the method of Flood to do multitasking and make resource management more efficient.

12. As per claims 3, 9 & 17 Flood disclosed wherein: the first interface card is coupled to a first network device that uses a first operating system the second interface card is coupled to a second network device that uses a second operating system (col. 4, lines 33-49); and the processor is further operable to configure the management information for the operating system of the network device associated with the particular interface card (col.4, lines 61-67).

13. Claim 22 has the same limitations as to claim 2 and 23 and therefore under the same limitations claim 22 is rejected.

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As to applicants arguments the response are as follows:

14. Applicant argued that the prior art failed to disclose particular functionality performed by the “management card” and “receive a command from a client, the command identifying an interface card or a network device associated with “an interface card” or a network device associated with an interface card” or establish a communication link between a client and a particular one of the first interface card and the second interface card selected in response to the command communicated by the client”.

As to applicant’s argument the Flood disclosed “ a program execution module completes a functional chart step, it send a command to the program execution module 18 containing the next step to be executed. The command identifies the next step to be executed. The command identifies the next step and instructs the program execution module to begin executing it (col. 5, lines 21-26). The system controller 16 may be also connected via a cable to a local area network over which it may receive data and programming instructions, as well as issue status information and report data to a host computer. This enables a central host computer or central terminal to program and control the operation of a plurality of programmable controllers on a factory floor (col. 4, lines 61-67).

15. Applicant argued that prior art did not disclose, “Establish a communication link between the client and a particular one of the first interface card and the second interface card selected in



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response to the command communicated by the client, wherein the communication link forms a complete path that couples at least the client to at least the particular interface card”.

As to applicants argument Flood disclosed, “The system controller is connected through cable to a programming terminal, which is used to load the user programs into the programmable controller and configure its operation, as well as monitor its performance. The terminal 24 is a personal computer programmed to enable the user to develop the control programs on the terminal, which programs are then downloaded into the programmable controller. Once the programs have been loaded into the programmable controller and its operation debugged, the terminal may be disconnected from the system controller if further monitoring is not required (col. 4, lines 50-61).

### ***Conclusion***

16. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

17. The examiner can normally be reached on Monday to Friday during normal business hours. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)-272-3933. The fax for this group is (703)-

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746-7239. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for un published applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866)-217-9197 (toll-free).

AM

Adnan Mirza

Examiner

  
**JASON CARDONE**  
SUPERVISORY PATENT EXAMINER